

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM  
Section 7: Rutherford & Plaza Blanca

**Subfile No. CHRU-001-0009**

**MOTION TO VACATE CONSENT ORDER**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to vacate the Consent Order filed September 19, 2003 (Doc. No. 7245) in connection with defendant Sandra Sableman and subfile CHRU-001-0009, and as grounds therefore plaintiff states as follows:

1. After defendant Sablemen signed and approved the Consent Order filed September 19, 2003 in subfile CHRU-001-0009, the State received a plat of survey from adjacent property owners showing that the boundaries mapped by the State were incorrect. The State has now correctly mapped the boundaries of the land under this subfile.
2. The Consent Order filed September 19, 2003 should be vacated.
3. Defendant Sableman has signed and approved a revised Consent Order to be filed with the Court that corrects the errors described in paragraph one above.
5. Defendant Sableman does not oppose the granting of this motion.

WHEREFORE, the plaintiff State of New Mexico requests the Court to vacate the Consent Order filed September 19, 2003 (Doc. No. 7245) in connection with defendant Sandra Sableman and

subfile CHRU-001-0009.

Respectfully submitted,

/s/ Ed Newville  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was mailed to following this 19<sup>th</sup> day of April 2006:

Sandra Sableman  
P.O. Box 22  
Lindreth, NM 87029

and transmitted by ACE filing to the following on the same date:

Special Master Vickie L. Gabin  
USDC-DCNM  
P.O. Box 2384  
Santa Fe, NM 87504-2384

Karla McCall, Data Manager  
1315 Sagebrush Dr. SW  
Los Lunas, NM 87031

/s/ Ed Newville  
Edward G. Newville